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UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF AGRICULTURAL ECONOMICS
Division of Land Economics



BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING LAND USE

Bulletin 36

March 10, 1938, to March 24, 1938

(Primarily for the use of the Land Use Planning Personnel of the Bureau of Agricultural Economics and collaborating offices and agencies)

I. FEDERAL LEGISLATION

FLOOD CONTROL

H. R. 9520. Mr. Thompson of Illinois. To Committee on Flood Control, February 16.

To authorize the Secretaries of Agriculture and War to make preliminary surveys and examinations of Rock River, Illinois, with a view to the control of floods, runoff and water-flow retardation and soil erosion prevention in accordance with the provisions of the Flood Control Act of 1936 (Public 738-74th Congress).

Similar bills were introduced as follows:

H. R. 9802 - Mr. Crowther: for Bellows Pond and Canada Lake, New York.

H. R. 9834 - Mr. Goldsborough: for Big Elk Creek and Elk River, Maryland.

H. R. 9608. Mr. Kee. To Flood Control Committee, February 24.

S. 3556. Messers. Barkley and Bulkley. To Committee on Commerce, February 28.

To amend the Flood Control Act of 1936 (Public 738-74th Congress as amended by Public 406-75th Congress) to increase the authorized appropriation for flood works on the Ohio from \$24,877,000 to \$80,000,000.

H. R. 9768. Mr. Hill of Washington. To Flood Control Committee, March 7.

S. 3616. Mr. Schwellenbach. To Committee on Commerce, March 7.

To authorize channel improvements with reservoir works for the control of floods in Mill Creek Basin in Washington in accordance with the plans of the Army Engineers under the Flood Control Act of 1936 (Public 738-74th Congress).

HYDRO-PLANNING

H. R. 9701. Mr. Fuller. To Committee on Flood Control, March 2.

To authorize construction by the Secretary of War, of flood control, navigation and hydro-electric power works on the White, Buffalo and North Fork Rivers as recommended by the Army Engineers. An appropriation of \$45,000,000 is authorized for the purpose of constructing the flood control reservoirs.

II. STATE LEGISLATION

AGRICULTURE

New York. S. 2239. Mr. Nunan. To Committee on Finance, March 11.

To create a commission (Commissioner of Conservation, Commissioner of Agriculture, two Senators and two Representatives) for the purpose of conducting an "investigation into the practical application of the various provisions of the conservation law, especially in relation to fish, game, forests and water." A report with legislative recommendations is to be made by March 1, 1939. An appropriation of \$15,000 is to be made to finance the study.

LAND USE

California. S. B. 31-X. Mr. McDonald. Introduced March 10.

To authorize the creation of Soil Conservation Districts for the purpose of engaging in conserving soil resources and preventing and controlling soil erosion. This bill substantially follows the provisions of the Standard State Soil Conservation Districts Act prepared by the Department of Agriculture.

New York. S. B. 1679-1492. Mr. McElroy. To Committee on Finance, March 1. H. B. 2075-1824. Mr. Milroe. To Committee on Ways and Means, February 28.

To authorize the creation of Soil Conservation Districts for the purpose of engaging in conserving soil resources and preventing and controlling soil erosion. This bill substantially follows the provisions of the Standard State Soil Conservation Districts Act prepared by the Department of Agriculture.

Mississippi. H. R. 884. Mr. Eakes. To Agricultural Committee, March 3.

To authorize the Soils Department of the Experiment Station to cooperate with the U. S. Bureau of Chemistry and Soils for the completion annually of a soil survey of two

counties in the state. Ten thousand dollars is to be appropriated for the state's share of the expense.

Mississippi. S. B. 472. Mr. Hardee. To Local and Private Committee, March 3.

To encourage the prevention of soil erosion in Jasper County. The State Forester and the Directors of the State Extension Service and of the Agriculture Experiment Station are authorized, upon petition of five or more owners of land covering not less than 7500 acres, to appoint a soil erosion committee of three members who shall cooperate with and assist the County Agent and State and Federal agencies in obtaining contracts from land owners for terracing or ditching agricultural lands. The Committee shall also recommend to the Board of Supervisors, subject to its approval, the purchase of machinery and equipment for such work, approve contracts of the Board of Supervisors for labor, approve rates owners shall pay for such work, supervise performance of the contracts, audit the soil erosion funds of the County and recommend necessary taxes to maintain the fund. Details of the contracts are prescribed, and payments thereon are to be made in toto or four equal annual installments with 6% interest and collected by the tax collector. If the Board of Supervisors fail to advertise for bids for the purchase of machinery and equipment the Committee shall upon petition hold an election thereon; and if the vote be favorable, the Board of Supervisors is required to make the purchases.

Identical bills were introduced as follows:

S. B. 484 - Mr. Massey. March 4, for Attala County.

S. B. 459 - Mr. Bulloch. March 2, for Grenada County.

H. B. 812 - Mr. Callon. February 28, for Adams County.

PLANNING

California. A. B. 29-X. Mr. Yorty. Introduced March 9.

To amend the Planning Act so as to vest in the State Planning Board certain functions in connection with low-cost housing, in order to encourage an orderly and properly supervised slum clearance and housing program.

Kentucky. H. B. 66. Mr. Moebus. Approved March 10.

To enable cities of the third, fourth, fifth and sixth classes to create planning commissions empowered to plan for municipal development, both within municipalities and in areas outside their boundaries which bear relation to municipal planning. These Commissions shall have jurisdiction of and approve all subdivision plats on all lands within five miles of the municipal boundary lines; and shall also act as zoning commissions. Regional Planning Commissions may be formed upon petition to the Governor and after a hearing.

Massachusetts. H. B. 1684. Introduced March 7.

A bill tending to prevent multiplicity of proposals for the same change in zoning ordinances and in their application: by prohibiting for two years the resubmission of an unfavorably received proposal to amend an ordinance, or of an unfavorably received proposal to the board of appeals to make a variation in the application of a particular regulation (unless, in the last case, the local governing body give its consent).

Mississippi. S. B. 491. Mr. Burgin. To Finance Committee, March 4.

To appropriate to the State Planning Commission \$40,000 for the biennium beginning July 1, 1938.

Mississippi. S. B. 492. Mr. Burgin. To Finance Committee, March 4.

To appropriate \$10,000 for the State Planning Board for the period January 1, 1938 to June 30, 1938.

PUBLIC LANDS AND FORESTS

Mississippi. S. B. 479. Messrs. Bullock and Prisock. To Finance Committee, March 3.

To appropriate \$100,000 to the Board of Trustees of the State Institutions of Higher Learning for the execution of the Northeast Mississippi Forestry, Game, Conservation and Grazing Project.

Mississippi. S. C. R. 26. Mr. Lambright. To Committee on Conservation of Natural Resources, February 10.

To create a committee to study fire protection, conservation cutting practices, tax adjustments and related subjects, to cooperate with State and Federal agencies, and to make a report with recommendations to the legislature.

South Carolina. H. B. 1957. Mr. Black. Introduced March 2.

To provide for the formation and management of a County Forest Fire Control Organization for the purpose of providing for the protection of forest lands, promoting reforestation on denuded and understocked and sub-marginal areas, and aiding in the enforcement of all laws pertaining to forests in York County.

South Carolina. H. B. 1713. Mr. Abbott. Approved March 11, Acts 1938 Act No. 808.

To provide for the formation and management of a County Forestry Board in Darlington County, in order to provide for the systematic care and management of forests and wild land areas, and to promote reforestation on denuded, understocked and sub-marginal areas within the county.

REAL PROPERTY

Kentucky. H. B. 114. Mr. Fitzpatrick. Approved March 10.

To regulate and license real estate brokers and salesmen in cities of the first and second classes. A State Real Estate Commission is created to issue licenses to qualified applicants and administer the provisions of the Act.

New York. S. Res. 21. Mr. Nunan. To Finance Committee, March 15.

To continue for a period of one year, the Joint Legislative Committee (authorized by Ch. 900, p. 2043, Laws 1937) investigating effects of mortgage moratoria. A report with recommendations is to be presented to the legislature by March 1, 1939.

TAXES

Mississippi. H. B. 901. Messrs. Ford and Fox. To Conservation Committee, March 3.

To declare certain lands as "potential forest lands" for the purpose of encouraging reforestation. The County Supervisors are directed to fix the value of forest products, where severed, for the purpose of levying a tax thereon not to exceed 5% of the value, to be collected as a privilege tax in lieu of all other taxes.

New Jersey. S. J. R. 1. Mr. Hendrickson. Adopted February 28.

To create a commission of 16 members (including President, Board of Tax Appeals, Tax Commissioner, Commissioner of Finance, State Treasurer, Commissioner of Education, member of State League of Municipalities, three Senators, three Representatives and three appointees of the Governor) for the purpose of studying the problem of tax delinquency and the laws relating thereto and of formulating a comprehensive plan for the revision of all tax laws, reporting to the legislature this year or next.

South Carolina. H. B. 2076. Mr. Long. To Ways and Means Committee, March 8.

To create a joint legislative committee to investigate all forms of taxation and recommend to the next Legislature changes in tax laws, corrections of inequalities in delinquent taxes, and a permanent policy of taxation for the next ten years. An appropriation of \$1500 is to be made.

WATER

Mississippi. H. B. 382. Mr. Swango. Approved March 2.

To provide a cumulative and additional method for dissolving drainage districts when there is no outstanding indebtedness, upon petition to the Chancery Court by 25% of the land owners owning a majority of the acreage of the district.

Mississippi. S. B. 529. Mr. Lake. Introduced March 9.

To amend the Flood Control Act of 1936 (Laws of 1936 Ch. 188) to provide more definitely for protection of lands damaged by overflow, authorizing taxes for rights-of-way and easements for levees and highway alterations.

H. A. HOCKLEY

